THE

LAWS OF ENGLAND

BEING

A COMPLETE STATEMENT OF THE WHOLE LAW OF ENGLAND.

BY

THE RIGHT HONOURABLE THE

EARL OF HALSBURY

LORD HIGH CHANCELLOR OF GREAT BRITAIN,

1885-86, 1886-92, and 1895-1905,

AND OTHER LAWYERS.

DONATED
BY
SHRI AMAR NATH RAINA
(1910-1980)
Former advocate General,
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THE Publishers believe that this copious Index to "THE LAWS OF ENGLAND" will render more absolutely indispensable that great work, which has been universally acknowledged as unique in form and accomplishment amongst legal publications. When "THE LAWS OF ENGLAND" was first projected it was designed that the various treatises on every branch of the law of which it is composed should be so dovetailed together by means of cross-references that the whole would be readily accessible. This aim was steadily kept in view throughout, but it was, of course, impossible to give anything more than general cross-references from the earlier to the later volumes, whilst in view of the fact that many topics are dealt with in more than one of the articles, sometimes from a different standpoint, it was obvious that great saving of time to the practitioner would be effected by gathering together in one place the various references to each topic.

The Publishers, therefore, felt convinced that a General Index to the whole twenty-eight volumes on the completest scale possible was the only fitting consummation to "THE LAWS OF ENGLAND." They have accordingly had an Index prepared, for the purposes of which the volumes have been gone through page by page and line by line. This Index is therefore an entirely new work, not merely a consolidation of the existing Indices to the separate volumes.

Some idea of the comprehensiveness and scope of the Index may be gained from the fact that it has taken a period of three years to complete, and that some seventy-eight members of the legal profession have, during that time, been engaged in dealing with nearly 1,000,000 entries

made from the twenty-eight volumes, arranging, classifying, and editing them. The plan of the Index was settled and approved by Master T. Willes Chitty, who has revised the proofs, and the whole has been under the editorial control and direction of Mr. Harold B. Bompas, M.A., of the Inner Temple, Barrister-at-Law, to whom the Publishers are greatly indebted for his advice and untiring work. The Publishers also desire to thank Mr. T. A. Ingram, M.A., LL.D., who has acted as chief assistant to the Editor, Messrs. C. H. Chadwick, Coleman Phillipson, M.A., LL.D., Litt.D., E. R. Watson, LL.B., E. C. Robinson, M.A., LL.B., H. B. D. Grazebrook, M.A., T. W. Morgan, and H. Geen, Barristers-at-Law, and also Miss Winifred Small-wood, who has given valuable assistance in seeing the Index through the press.

The primary ideas in the construction of the Index have been those of "readiness of reference" and "completeness of detail." One principle adopted has been to collect detailed references under the headings most probably in the mind of the consultant, so that he will not have to waste time by considering under which heading he should look, though the details will often also be found under the larger headings. To illustrate: a practitioner may require information with regard to the acceptance, indorsement, or presentment of a Bill of Exchange. He turns at once to the particular heading required, rather than to the heading "Bill of Exchange." On the other hand, under the heading "Bill of Exchange" a complete conspectus is given of the law relating to Bills of Exchange, gathered together both from the treatise on "Bills of Exchange, Promissory Notes and Negotiable Instruments" in Vol. II. and from the various treatises in the other volumes which contain propositions with regard to Bills of Exchange. At the same time, while complete general detail is given under a group heading, *e.g.*, "Bankruptcy," "Companies," etc., to prevent an undue expanding of such headings, copious

use is made of cross-references. In fact the group headings are made to serve both as indices to and logical analyses of the subjects.

Another principle has been to collect together the cases in which similar principles or processes are applied in different branches of law; see, for example, the entries collected under such words as "Abandonment," "Abatement," "Cruelty," "Maintenance of Persons," "Payment," "Possession."

It is believed that every legal phrase and term of importance will be found in the Index, which refers the consultant to the decisions and opinions in the volumes themselves. Particular attention may be directed to the heading "Words and Phrases," containing several thousand words and phrases defined or construed in "THE LAWS OF ENGLAND."

The various headings under which the entries in the Index are grouped are arranged alphabetically, and when a heading is composed of more than one word, each word is, for this purpose, considered separately. After the simple word follow other words depending on that word, whether spelt separately or hyphenated, and then come words spelt straight through, thus: "Horse," "Horse-dealer," "Horse-power," "Horse Race," "Horse-slaughter," precede "Horseflesh," "Horseway."

So also, each separate word being considered, "Order" is followed by "Order Book," "Order for Sale," "Order in Council," "Order Nisi," "Order of Court." On a similar principle the compound words commencing "co-" are placed together between "Clyde" and "Coach," and the various titles of writs, etc., commencing with the word "De" are grouped between "Days of Grace" and "Deacon." The words commencing "Re" are placed in order as if there were no hyphen, since with regard to many words there is no absolute rule as to the use of the hyphen, and in the case of those words in the Index in which the

hyphen is used, the use is required by the letters with which the simple word begins, *e.g.*, "Re-entry," "Re-registration," not merely on account of the words being compound words.

The single entries in the Index are arranged alphabetically, beginning with the principal words of the propositions embodied in the entries, and much time and labour has been expended in framing the propositions and in selecting catch words which will suggest to the consultant the nature of the proposition, without it being necessary for him to do more than read the first two or three words.

It must be pointed out that the consultant should, after looking up any point, refer invariably to THE LAWS OF ENGLAND SUPPLEMENT, published annually, which embodies the very latest law, and to which the Index is equally a fingerpost. Subsequent judicial decisions and legislative alterations, particularly war and emergency enactments, may have varied the law as originally stated. For example: "Aliens," "Bankruptcy," "Copyright," "Larceny," and "Prize." To any such changes the INDEX and the SUPPLEMENT combined are infallible guides. The numbering of the paragraphs in the SUPPLEMENT corresponds with the numbering of the paragraphs in the volumes, so that after consulting the original entry the practitioner has only to turn to the same paragraph in the SUPPLEMENT to see if any alteration in the law has taken place or any more recent decisions have been reported.

BUTTERWORTH AND COMPANY.

March, 1917.

A

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THE LAWS OF ENGLAND.

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CHARITY.

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CHURCH.

The main words beginning with CHURCH *are as follows*:—CHURCH (Building); CHURCH (Religious Body); CHURCH BUILDING COMMISSIONERS; CHURCH ESTATES COMMISSIONERS; CHURCH OF ENGLAND; CHURCH OF IRELAND; CHURCH OF ROME; CHURCH OF SCOTLAND; CHURCH PROPERTY; CHURCH RATE; CHURCH SCOT; CHURCHING OF WOMEN; CHURCHWARDEN; CHURCHWAY; CHURCHYARD.

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